

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 134
FINAL READING

Introduced by Dw. Pedersen, 39; Crosby, 29; Schimek, 27;
Suttle, 10; Thompson, 14

Read first time January 7, 1999

Committee: Judiciary

A BILL

- 1 FOR AN ACT relating to adoption; to provide commensurate child-care
- 2 leave for adoptive parents.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Except as provided in subsection (2) of
2 this section, whenever an employer, including a governmental
3 agency, permits an employee to take a leave of absence upon the
4 birth of the employee's child, an adoptive parent, following the
5 commencement of the parent-child relationship, is entitled to the
6 same leave upon the same terms.

7 (2) The adoptive parent leave of absence is not required
8 if the child being adopted is a special needs child over eighteen
9 years of age, a child who is over eight years of age and is not a
10 special needs child, a stepchild being adopted by his or her
11 stepparent, a foster child being adopted by his or her foster
12 parent, or a child who was originally under a voluntary placement
13 for purposes other than adoption without assistance from an
14 attorney, physician, or other individual or agency which later
15 results in a petition for the adoption of the child by the person
16 with whom the voluntary placement was made.

17 (3) For purposes of this section, commencement of the
18 parent-child relationship means when the child is placed with the
19 employee for the purposes of adoption.

20 (4) Whenever an employer, including a governmental
21 agency, refuses to extend a child-care leave of absence to an
22 adoptive parent in violation of this section, an aggrieved adoptive
23 parent may bring an action for equitable relief and damages. In
24 all actions brought pursuant to this section, reasonable attorney's
25 fees, as determined by the court, shall be awarded to the
26 prevailing party if the prevailing party is the adoptive parent.